

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/792,061 Confirmed
Applicant : Scott D'Avanzo
Filed : March 2, 2004
Title : GAMING MACHINE AND METHOD OF PLAY
TC/A.U. : 3711
Examiner : Eric Thomas
Docket No. : 087635.000017
Customer No. : 29747

Confirmation No. 4209

Mail Stop APPEAL BRIEFS-PATENTS
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

RESPONSE NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner:

In response to the Notification of Non-Compliant Appeal Brief dated January 7, 2010, attached is replacement page 5 of the Appeal Brief correcting the Status of Claims to include a statement of the status of all claims.

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Respectfully submitted,

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Date: January 26, 2010

Status of Claims:

Claims 1-6 and 26-30 are pending. Claims 7-25 have been canceled. Claims 1, 4, 6, 26 and 29 have been rejected by the Examiner in an Office action dated April 14, 2009 from which the appellant initiates this appeal. Claims 2, 3, 5, 27, 28 and 30 were allowed.

Appellant is appealing the rejection of claims 1, 4, 6, 26 and 29.